

UNITED STATES DISTRICT COURT  
for the  
Eastern District of New York

LUIS CANO, REYES WILFREDO FUNES ROMERO,  
KEVIN ZELAYA, and JOSE NELSON IRAHETA,  
individually and behalf of those similarly situated,

) ) ) ) ) ) ) ) ) ) ) )

**Eastern District of New York**

*Plaintiff(s)*

V.

JOHN ARMATO, YVETTE ARMATO a/ka/ YVETTE  
BAHAMONDE, TUSCANY MARBLE AND GRANITE,  
INC.,

Civil Action No. 23-cv-03812-JMA-AYS

*Defendant(s)*

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* John Armato  
6 Halsey Lane  
Centerport, NY 11725

See attached rider for additional Defendants Yvette Armato and Tuscany Mable and Granite, Inc.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Christopher Marlborough

The Marlborough Law Firm, P.C.  
375 Sunrise Highway  
Suite 3  
Lynbrook, NY 11563

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 05/24/2023



BRENNNA B. MAHONEY  
*CLERK OF COURT*

Concetta Landow

*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

- I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or
- I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_,  
a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or
- I returned the summons unexecuted because \_\_\_\_\_; or
- Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LUIS CANO, REYES WILFREDO FUNES  
ROMERO, KEVIN ZELAYA, and JOSE  
NELSON IRAHETA individually and behalf of  
those similarly situated,

**Case No. 23-cv-3812**

Plaintiffs

**Summons Rider**

vs.

JOHN ARMATO, YVETTE ARMATO a/ka/  
YVETTE BAHAMONDE, TUSCANY MARBLE  
AND GRANITE, INC.,

Defendants.

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Complete list of Defendants to be served:

John Armato  
6 Halsey Lane  
Centerport, NY 11721

Yvette Armato  
6 Halsey Lane  
Centerport, NY 11721

Tuscany Marble and Granite, Inc.,  
6 Halsey Lane  
Centerport, NY 11721